

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
OCTOBER 15, 2012**

ATTENDANCE: First Selectman Jayme Stevenson; David Bayne, John Lundeen,
Gerald Nielsen.

STAFF: Karl Kilduff, Administrative Officer

OTHER: Dave Dever, Darien Boat Club; Jeremy Ginsberg Planning & Zoning;

CALL TO ORDER

First Selectman Stevenson called the meeting to order at 7:45 p.m. and stated that the Selectmen as listed were in attendance, and there was a quorum present.

Report from the Darien Boat Club - Proposed Expansion Project

Mr. Dave Dever, Commodore, representing the Darien Boat Club presented the item and stated that there was a public meeting on the application with the US Army Corps of Engineers to perform dredging with open water disposal and expanding the existing docking facility. He gave an overview of the proposed expansion and history and on the Darien Boat club that was formed in 1948 from a grant from the Ziegler Family to create a boat club available for all Darien residents. It sits on land donated by them and its by-laws and fees are approved by the Selectmen and the RTM. He highlighted that the only requirement for membership is one must be a Darien Resident, and the Darien Boat Club currently has 801 members, the club can accommodate 250 boats on the dock and 225 kayak / canoes / small sail craft, on land storage. He explained that currently there are 308 members awaiting an in-water slip on the dock, and the average wait is now over 12 years, which is simply not practical and unattainable.

He reviewed the history of the project and explained that the Executive Board of 11 volunteers was asked by the membership to look at ways to put more boats on the dock. Back in 2010 we went to the Darien Selectmen's Advisory Commission on Coastal Waters, to show them the plan and tell them what we heard from DEP. The Harbor Master at the time asked us to change the plan to include a wider passage to and from the Town Launching Ramp and Dock around the DBC docks, a change that we implemented and resubmitted to DEP and The Army Corps of Engineers. We also had samples of the "mud" under the current club dock area and in the area of proposed dredge tested for toxicity and benthic study, and these tests which were submitted to DEEP and ACOE were all very good.

There was an exchange of comments and Mr. Art Morris presented photographs and schematic plans of the expansion.

Mr. Jerry Kutz, Commodore and Mr. Morris and Mr. Dever fielded questions from the Selectmen, as follows:

How will this change the Club?

Aside from more boats in the water it probably won't. Many of the members waiting on the list currently are on moorings or trailer their boats, usually coming in to the main dock to pick up or drop off passengers and supplies. The footprint of the Club Building and deck remains the same.

How will this affect the view from Pear Tree Point Road?

The A and B docks will be extended, by 200 feet (A Dock) and 256 feet (B Dock). Boats that currently are on moorings in that area (many sitting on the mud at low tide) will either be moved or accommodated on the docks.

How will this effect parking?

Since most, if not all, 801 members already use the club for boating, the deck, or picnics, they have 1 if not more beach parking stickers; there should be no real change of parking lot occupancy.

Will the Club be adding services like a marina?

No. We will remain a Boat Club; there will be no marine services beyond what we do now.

How will this impact on commercial fishermen?

This will have no impact or effect at all.

What are the next steps of the plan approval process?

We will go back to the membership and get their permission to proceed with getting bids for the latest costs, once we have those, we go back to the membership for approval of the presented financial plan. If the membership approves, then, we must go before the Selectmen, RTM, Parks & Recreation, and many of the other Boards in Town as well as a Public hearing for the neighbors to get everyone's "blessing". This project will take some time.

Presentation of Route 1 Corridor Study by SWRPA

Mr. Jeremy Ginsburg gave a summary of key findings of the SWRPA Corridor Study, and explained that the existing conditions assessment of this study included evaluations of roadway and traffic conditions, vehicular mobility, circulation, and access, pedestrian, bicycle, and public transit accommodations, safety, the Metro-North railroad underpass: and land use and development opportunities. The future conditions assessment included evaluations of potential traffic growth and potential traffic and parking needs associated with a Downtown development scenario. The key findings of these various assessments are summarized as follows:

Roadway Conditions. Noted concerns relative to operations and safety include: insufficient roadway width between Noroton Avenue and Rings End Road to accommodate on-street parking and four travel lanes; no delineation of on-street parking stalls: a general lack of lane definition, particularly north of Sedgwick Avenue: and poor intersection geometry at the Old Kings Highway South and the 1-95 Interchange 11 northbound on-ramp intersections with Route 1.

Traffic Conditions. The study corridor carries up to 16,000 vehicles per day. Peak travel periods cause the longest delays and traffic backups at the West Avenue. Mansfield Avenue. , and Sedgwick Avenue intersections, particularly in the southbound direction.

Traffic growth is anticipated to be 20% or more in some sections of the corridor by 2030, which will exacerbate existing traffic delays.

Vehicular Mobility, Circulation, and Access. There are limited opportunities to significantly increase traffic capacity in the corridor. As such, vehicular mobility will have to be maintained by maximizing Route 1 capacity by developing alternate routes, connections, and access to, and circulation within, Downtown; and mitigating future traffic growth.

Pedestrian Accommodations. There are pedestrian safety and walk-ability issues throughout the corridor associated with gaps in the sidewalk network: numerous pedestrian crossings that lack adequate signals or signage, crosswalks, and handicap accessible ramps; and limited crossing opportunities in Downtown.

Bicycle Accommodations. There are no defined bicycle facilities in the study corridor to encourage and facilitate safe bicycle travel. In particular, there are no striped shoulders, markings, or signs on Route 1 that help define space for bicyclists on the roadway or alert motorists to the potential for bicyclists in the area.

Public Transit Accommodations. There are opportunities to enhance the convenience of using transit in the corridor including better amenities at key bus stops: improved commuter parking and rail station information; and better connections between modes.

Safety. There were more than 300 accidents recorded in the study corridor during the most recent three-year period for which data is available. The accident data indicates that the most predominant collision types during this period were rear-ended and side-swipe collisions. Nine of these accidents involved pedestrians.

Railroad Underpass. There is limited vertical clearance at the Metro-North railroad underpass that has resulted in a relatively high frequency of truck collisions. Underpass flooding has also been a persistent issue. The long-term effectiveness of recent CTDOT improvements — including new low clearance warning signs in the corridor and minor drainage improvements at the underpass — will require further evaluation.

existing capacity: supplementing drives that facilitate better access

Land Use and Development. Existing development density in Downtown is lower than the preferred density (based on community input) and lower than the density that could be achieved by pursuing Smart Growth strategies. Several policy and regulation changes would be required to address zoning constraints that include parking minimums, building height limits, and parking structure prohibitions.

Mr. Ginsberg fielded questions and summarized that this is a multi-year project that they wanted to present to the Selectmen before budget season in order to set aside funds in the capital budget.

First Selectman Stevenson thanked Mr. Ginsberg for the presentation and stated that they will review priorities and elements of the study findings, and incorporating input from the Police Department and other areas in terms of this public safety project.

FIRST SELECTMAN'S REPORT

First Selectman Stevenson stated that she met last week to address the 8-30G legislative project and she has been working closely with Terry Wood, Jeremy Ginsburg, and Fred Conti. She

added that they will be putting together priorities and wish list and will bring this forward for review to the Selectmen.

First Selectman Stevenson extended her condolences on behalf of the Town of Darien to former Selectman Callie Sullivan and her family on the loss of her husband Tighe Sullivan in a tragic accident.

ADMINISTRATIVE OFFICER'S REPORT. Mr. Kilduff stated that the gas line at 35 Leroy is in process, and he will provide feedback on the RFP later this month. He stated that the annual report is being prepared and suggested that a "word diet" approach be taken to minimize the size of the report in a measure to more efficiently condense the contents. He stated that he will be meeting with the Noroton Fire Department on a presentation of the needs for the next budget season, and in terms of the capital budget, this will be presented soon for input and review.

NEW BUSINESS

Discuss and Take Action Transfer Station Advisory Committee.

First Selectman Stevenson gave an overview of the item as follows: The Board of Selectmen has an interest in ensuring that the transfer station operations are efficiently and cost effective. Operations are further impacted by the implementation of single stream recycling which is a major change in the volume of material available for recycling. As a result, the Board of Selectmen desires the creation of an Advisory Committee to develop policy options for the transfer station focused on operational and economic efficiency with the added goal of increasing public awareness and environmental improvement. Specifically, the Committee shall be responsible for:

1. Develop a public education program emphasizing:
 - a. How residents can better use single stream recycling.
 - b. Identifying items that can/cannot be recycled in the single stream;
 - c. Identifying items that can be recycled but are not single stream (e.g., what should be done with specific materials — construction debris, mattresses, wood)
 - d. Tracking progress in increasing recycling volume.
2. Examine the business model of the transfer station to:
 - a. Evaluate the impact of single stream;
 - b. Analyze the transfer station operations and develop alternatives for the Board of Selectman to consider;
 - c. Identify desired services and how they should be provided; and
 - d. Evaluate the revenue generated by the transfer station with the intent of limiting tax dollar support needed for the facility.
3. Evaluating other recycling initiatives to increase general awareness and handling other wastes (composting, paint, etc...).

The Transfer Station Advisory Committee shall consist of seven (7) residents, no more than four (4) of whom shall be from the same political party. Ex-Officio Members shall be the First Selectman, Public Works Director and Chairman of the RTM Public Works Committee.

**** MR. NIELSEN MOTIONED TO APPROVE THE CREATION OF A TRANSFER STATION ADVISORY COMMITTEE BASED UPON THE ABOVE OUTLINE.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

First Selectman Stevenson stated that she would have the names of the recommended appointments at that point later on the agenda.

Discuss Possible Changes to Daily Parker and Permit Rate

First Selectman Stevenson stated that if there is an increase to the daily parking fee, she proposes consideration of increasing the annual permit parking rates. She recommends \$5 daily fee and an increase of \$100 for the annual permit to be phased in over two years.

Mr. Nielsen questioned the increase of 25-30%. First Selectman Stevenson stated that she wants to be competitive and consistent with nearby towns. She reported that the daily voucher spaces are full every day, which would imply that the demand is there to absorb this increase, and added that a two-year phased in increase seems palatable. A discussion ensued over the hand-held device pay-by-phone app. system, and Mr. Kilduff stated that the technology to utilize the system and pricing structure would require a decision by October 29. He added that the technology is in transition and a 60-day notice of the new daily rate is standard. Further discussion occurred over regulations needed to prevent permit abuse such as permit swapping.

Mr. Bayne stated that he is against such a high increase of 25% and stated that commuters do plan their transportation plans based on the parking rates and it is important to have increases published. He added that there should be a public hearing on the proposed increases. It was agreed to have a public hearing at the next meeting, and to take a vote on the proposed increases following public comments.

Discuss and Take Action on School Oil Underground Storage Tank Building Committee

First Selectman Stevenson referred to the memo from Darien Public Schools on Oil Tank Authorization & Educational Specifications that outlines state and federal laws and regulations, and code issues. Mr. Kilduff explained that as part of state grant reimbursement requirements, it is the administration's recommendation that a committee be formed.

**** MR. LUNDEEN MOVED TO APPROVE THE FOLLOWING RESOLUTION:
THE BOARD OF SELECTMEN OF THE TOWN OF DARIEN HEREBY APPOINTS
THE DARIEN BOARD OF EDUCATION TO SERVE AS THE BUILDING
COMMITTEE FOR SYSTEM-WIDE WORK ON THE UNDERGROUND
OIL STORAGE TANKS AT DARIEN SCHOOL FACILITIES, AS IS REQUIRED
UNDER THAT STATE SCHOOL CONSTRUCTION GRANT PROCESS.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

TRANSFERS:

Health Department

Mr. Kilduff explained that the first request in the packet is for a transfer of funds from Part-time employee account to a new account called ‘temporary employees’.

He explained further that his is an adjustment of the previous practice of paying temporary employees out of the part-time employee account. No additional funds for employees are being requested, and temporary employees are typically utilized to provide office coverage when the Health Department Administrative Assistant is out on vacation or out sick.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

<u>From:</u>			<u>To:</u>		
Acct. Number	Account Name	Amount	Acct. Number	Account Name	Amount
10508011-81002	Part time employee	\$1000.00	10508011-81003	Temporary employee	\$1000.00

**** MR.BAYNE MOVED TO APPROVE THE BUDGET TRANSFER AS LISTED.**
**** MR. NIELSEN SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

Town Clerk's Office

Mr. Kilduff referred to the request for additional monies is for staff overtime related to election coverage as follows:

Town Clerk plus Assistant Town Clerk Caryn Diller for Saturday morning, November 3, from 9 am to 12 pm for issuance of Absentee Ballots, as requested by the Secretary of the State.

Town Clerk plus three (3) Assistants for distribution of Presidential Ballots on November 6 from 4:30 pm to close of polls at 8:00 pm. Past experience prompts request.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

<u>From:</u>			<u>To:</u>		
Acct. Number	Account Name	Amount	Acct. Number	Account Name	Amount
10106011-82008	Printing	400.00	10106011-81004	Overtime	400.00

**** MR.BAYNE MOVED TO APPROVE THE BUDGET TRANSFER AS LISTED.**
**** MR. NIELSEN SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

Administrative Officer — Support Services

Mr. Kilduff referred to the supporting document that explained the full-time Office Administrator in the Building Department has been out on medical leave. We have used

temporary employees to insure that the Building Department continues to run efficiently and keep up with the demands of operations.

This will be necessary to continue, though on a reduced basis, through the end of the calendar year. We expect to return to normal staffing effective January 1, 2013. Therefore, I am requesting that \$10,000 be transferred from the contingency account to the Administrative Officer's Seasonal and Temporary salary account to provide sufficient monies to provide adequate staffing in the Building Department until the end of the calendar year.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

<u>From:</u>			<u>To:</u>		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10704000-86600	Contingency	\$10,000	10102021-81003	Seasonal Temporary	\$10,000

- ** **MR. LUNDEEN MOVED TO APPROVE THE ABOVE BUDGET TRANSFER.**
- ** **MR. NIELSEN SECONDED THE MOTION.**
- ** **MOTION PASSED UNANIMOUSLY.**

Transfer from two Regulatory Counsel accounts to the Regulatory Counsel—EPC account.

Mr. Kilduff referred to the supporting document that explained The Planning and Zoning Department requests a transfer from the Planning and Zoning and the Other Regulatory Counsel accounts to the Environmental Protection Commission (EPC) Regulatory Counsel account.

While there are only two pending EPC cases, costs have been incurred exceeding the 65+/- hours of legal time originally budgeted, and will continue over the next few months, with expected resolution of both matters in this fiscal year. At this very early point in the fiscal year, it appears that the Planning and Zoning and the Other Regulatory accounts may have sufficient funds to transfer from.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Selectmen:

<u>From:</u>			<u>To:</u>		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10105091-82105	Regulatory Counsel—Planning & Zoning	\$15,000	10105091-82120	Regulatory Counsel--EPC	\$20,000
10105091-82124	Regulatory Counsel--Other	\$5,000			

- ** **MR.BAYNE MOVED TO APPROVE THE BUDGET TRANSFER AS LISTED.**
- ** **MR. LUNDEEN SECONDED THE MOTION.**
- ** **MOTION PASSED UNANIMOUSLY.**

Agenda Review

First Selectman Stevenson asked to put parking rates public hearing and it was agreed to add this to the agenda. First Selectman Stevenson stated that on the issue of sidewalks, there is information from a recent meeting and this will be forwarded to her, and it was agreed to add this to the agenda. Mr. Nielsen asked to have a representative from the Police Department on public safety and the Weed Beach Building Committee budget reconciliation.

Approval of Minutes of Previous Meetings

Regular Meeting of September 24, 2012

Mr. Bayne requested the following corrections:

Page 2, Paragraph 2: spelling correction from Werner to Wernert.

Page 4: Paragraph 2: replace sentence 2 and 3 with the following: He said there is a database of annual permit holders available but the Town is not in control of it. A company in New Jersey controls the database. The new database can be integrated to the grand list for online rewards, and the database would work with the proposed license plate reader for enforcement.

Last sentence: Change to read: Mr. Kilduff stated that the DOT is already on board with these options and there is no opposition.

Paragraph 3: Replace in the first sentence, after from the State, "which lease expired on June 30, 2012." Add: Negotiations have not yet begun for its renewal or replacement. The ability to fund capital improvements from the Parking Fund was discussed by the Selectmen.

**** MR. NIELSEN MOTIONED TO APPROVE THE MINUTES OF
SEPTEMBER 24 , 2012 AS AMENDED WITH CORRECTIONS NOTED.**

**** MR. LUNDEEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

APPOINTMENTS/RE-APPOINTMENTS

**** MR. BAYNE MOVED TO AMEND THE AGENDA TO ADD THE FOLLOWING
REAPPOINTMENT.**

**Joseph Warren to the Darien Housing authority for a five-year term beginning July 1, 2011
and ending June 30, 2016.**

**** MR. LUNDEEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

Consider and take action on the following appointments:

- Proposed members for the Transfer Station Advisory Committee:
Dot Kelly. Chairman; Carolyn Bayne, Susan Cameron, Craig Flaherty, David Genovese
Connie Melvin, Allison Stolar; Ruth Ann Ramsey, Alternate.

Ex-officio Members: Jayme Stevenson. First Selectman Robert Steeger, Director of Public Works; Finley Wetmore, Student Representative.

- ** MR. NIELSEN MOTIONED TO APPROVE THE APPOINTMENTS AND TERMS AS LISTED.**
- ** MR. LUNDEEN SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

Consider and take action on the following re-appointments:

- Richard Rohr to the Environmental Protection Commission for a 3-year term beginning on July 1, 2012 and expiring on June 30, 2015.
- John Ashburne as an Alternate to the Zoning Board of Appeals for a 3-year term beginning on July 1, 2012 and expiring on June 30, 2015.
- Joseph Warren to the Darien Housing authority for a five-year term beginning July 1, 2012 and ending June 30, 2016.

- ** MR. NIELSEN MOTIONED TO APPROVE THE RE-APPOINTMENTS AND TERMS AS LISTED.**
- ** MR. LUNDEEN SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

IT WAS NOTED THAT FORTHCOMING MEETINGS ARE AS FOLLOWS:

October 16, 2012	Joint Department Head Meeting at 8:30 a.m.
October 16, 2012	Board of Finance Regular Meeting at 7:30 p.m.
October 16, 2012	Planning & Zoning Commission General Meeting at 8:00 p.m.
October 17, 2012	Parks & Recreation Commission Regular Meeting at 7:30 p.m.
October 23, 2012	Planning & Zoning Commission Public Hearing at 8:00 p.m.
October 23, 2012	Board of Education Regular Meeting at 7:30 p.m.
October 29, 2012	Board of Selectmen Regular Meeting at 7:45 p.m.

10. OTHER BUSINESS

There was no other business.

Adjournment

- ** MR. NIELSEN MOTIONED TO ADJOURN.**
- ** MR. CAMPBELL SECONDED.**
- ** MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Marilyn Knox
Telesco Secretarial Services